

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-1961

HERSEL CLINE,

Petitioner,

versus

WEST VIRGINIA DEPARTMENT OF ENERGY; PETER
WHITE COAL COMPANY; DIRECTOR, OFFICE OF
WORKERS' COMPENSATION PROGRAMS, UNITED STATES
DEPARTMENT OF LABOR; WEST VIRGINIA COAL
WORKERS' PNEUMOCONIOSIS FUND,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(94-3809-BLA)

Submitted: February 13, 1997 Decided: February 25, 1997

Before WIDENER and HAMILTON, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Hersel Cline, Petitioner Pro Se. Karen Nancy Blank, Patricia May
Nece, C. William Mangum, UNITED STATES DEPARTMENT OF LABOR, Wash-
ington, D.C.; Elizabeth Ann Morgan, Assistant Attorney General,
Konstantine Keian Weld, OFFICE OF THE ATTORNEY GENERAL OF WEST
VIRGINIA, Charleston, West Virginia; Peter White Coal Company,
Lexington, Kentucky, for Respondents.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Appellant seeks review of the Benefits Review Board's decision and order and order on reconsideration affirming the administrative law judge's denial of black lung benefits pursuant to 30 U.S.C.A. §§ 901-945 (West 1986 & Supp. 1996). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. Cline v. West Virginia Dep't of Energy, Nos. 94-3809-BLA; 94-3809-BLA-A (B.R.B. June 28, 1996). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED